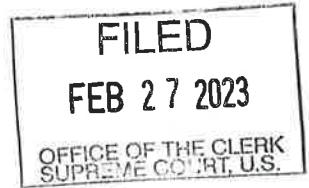


No. 22-6511

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



William F. Maskevich — PETITIONER
(Your Name)

vs.

The Illinois Department of Employment Security et al RESPONDENT(S)

ON PETITION FOR WRIT OF CERTIORARI TO

Appellate Court of Illinois First District
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR REHEARING

William F. Maskevich

(Your Name)

3611 15th St. Apt 1A.

(Address)

Kenosha, WI 53144

(City, State, Zip Code)

224-243-0976

(Phone Number)



Petitioner prays this Court reconsiders his writ for certiorari based on the following:

I. Overpayment Issue

Respondents (the IDES) paid out about \$9400 in a valid unemployment insurance claim in 2018 but seeks to recoup about \$3500 as overpayment. Petitioner attempted to appeal the IDES auditor's decision because about \$1500 of the overpayment is the result of the employer not reporting wages in the actual weeks the wages were earned in. The stated facts in the reviewing court's judgment present an inaccurate perspective of this case; the Respondents addressed the nature of the wages, and the record reflects Respondent's determination that the wages received were valid and thus does not seek recoupment of the full \$9400 or so that they paid out. Petitioner does not think he should have to repay the part of the overpayment that is due to the inaccurate wage report.

All I really wanted was for the Respondents to revisit the employer's reporting of wages as the record reflects that Respondents did not bother to evaluate submitted documents that show that the employer intended the wages to be earned on a weekly basis. The employer reported the wages based on when they got around to paying those wages (perhaps due to processing delays) and thus in lump sum amounts rather than reporting as required the weeks the wages were earned in.

II. Notice of Appeal Rights

The reviewing court narrowed the issue to whether a notice of right to appeal was required without considering the statute giving an administrative right to such a notice. The reviewing court implies that *West Covina v. Perkins*, decided by this

Court, should hold despite the distinct difference between the two cases -- the existence or not of a statute specifying what remedies to inform a party about. Is the agency using West Covina v. Perkins to shield itself from having to present to a claimant the full extent of the remedies listed in the statute? Should agencies make such decisions, or should they follow the intent of the state's legislature? Can an agency decide on its own which parts of the statutes it should comply with?

Petitioner believes this is an important issue that goes beyond the dollar amounts involved in this specific case.

CONCLUSION

The Petition for Rehearing should be granted.

Respectfully submitted,

William F. Maskevich
William F. Maskevich
Pro se Petitioner

Feb 27, 2023
Date

CERTIFICATION

I, William F. Maskevich, do certify that this Petition for Rehearing is restricted to the grounds specified in the Supreme Court Rules (Rule44) to the best of my understanding. I further certify that this petition is presented in good faith and that this petition is not presented for the purposes of delay.



William F. Maskevich
Pro se Petitioner